

## Message

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**Subject:** USS Lead - Press

**East Chicago press clips****US EPA Region 5 – prepared by the Office of Public Affairs****October 10, 2017**

**NWI Times**                      **East Chicago makes changes after residents question dirt piles left by water line workers**  
**USS Lead, EPA reach agreement to study groundwater, soil contamination**  
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[http://www.nwitemes.com/news/special-section/ec-lead/east-chicago-makes-changes-after-residents-question-dirt-piles-left/article\\_d3205fbe-1cf3-5b0c-9e4f-585ce1b763da.html](http://www.nwitemes.com/news/special-section/ec-lead/east-chicago-makes-changes-after-residents-question-dirt-piles-left/article_d3205fbe-1cf3-5b0c-9e4f-585ce1b763da.html)

**East Chicago makes changes after residents question dirt piles left by water line workers**

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- Oct 9, 2017 Updated 14 hrs ago

EAST CHICAGO — City contractors working on replacing lead service lines changed how they handled excavated materials last month after a community group brought concerns to the U.S. EPA and city officials, according to the city, residents and documents.

East Chicago in September began replacing about 400 lead and galvanized-steel service lines, including some customer-owned portions, in the USS Lead Superfund site. The city's Water Board approved the \$3.1 million plan in May, and in June selected Hasse Construction as the general contractor.

The Natural Resources Defense Council last week released a letter urging Mayor Anthony Copeland to further commit to conducting the project in a transparent manner, replacing lead or galvanized-steel lines citywide, conducting appropriate water sampling and ensuring residents are adequately notified of all health risks and how to avoid lead exposure.

Copeland responded in a statement that the NRDC "is incorrect in assumptions made" and that the NRDC's concerns about a replacement method — which was outlined in the city's access agreement — "are conjecture at best, and not based on any level of expertise."

When asked if it had been in direct contact with residents or was aware of any prior complaints about the lead service line replacement project, NRDC referred The Times to the East Chicago Calumet Coalition Community Advisory Group. An attorney for the CAG released letters and emails among CAG, East Chicago and the Environmental Protection Agency along with photos of dirt piles left behind by lead service line workers.

The documents show CAG raised concerns about soil dug up from under sidewalks and streets not being tested or properly handled, and argued it posed a public health risk.

The city is replacing water service lines at properties where EPA has determined soil does not meet screening levels or already has excavated contaminated soil. However, EPA does not test under sidewalks or streets when determining whether to clean a property.

Emails show EPA talked to city officials about tarping soil piles and sampling soil excavated from below streets and sidewalks after CAG brought the concerns to EPA's attention in mid-September. City officials considered the matter and informed EPA later in the month its contractors would place excavated materials into on-site dumpsters and cover them, emails show.

EPA said it was not aware of the city currently sampling any of the soil excavated as part of its lead service line replacement project.

**Mayor: Changes were voluntary**

Copeland said the city voluntarily required changes in how excavated materials were handled, but was not forced to do so. The city and its contractors are complying with all guidelines and regulations, he said.

"Even though the EPA has not required it, the city is requiring that all dirt, sand and concrete be placed in separate metal dumpster containers, and all material tarped over," Copeland said.

Lead in water lines and soil are not related, but residents exposed to both face cumulative health risks.

Lead in water comes from lead or galvanized pipes, which are present in East Chicago and many other older communities. Some of the soil in the Superfund site contains dangerous levels of lead and arsenic, along with other contaminants.

Lori Locklear, a resident of the USS Lead Superfund site and secretary for CAG, said she first noticed dirt piles left by the city's lead service line contractor in mid-September as she drove on Ivy Street.

"I got out of my car to take pictures and a car drove by, and all the dust flew all over me," Locklear said.

Locklear, who had her water service line replaced April 21, also attempted to bring her concerns to a city employee on-site.

"He said, 'No, none of the dirt under the street and sidewalks is contaminated,'" Locklear said.

She was baffled, she said, because a neighbor whose yard is not considered contaminated accidentally nicked a gas line, and NIPSCO waited a day to make the repair, so it could bring in a contractor to ensure precautions were taken.

Attorneys for CAG and NRDC on Sept. 14 called an attorney at EPA about concerns, including soil being dug up from under sidewalks and streets and being left in open piles on the street. The groups also observed workers weren't wearing protective masks, using air monitors to evaluate lead and arsenic levels in dust or taking any other apparent measures to contain the soil or characterize it for waste disposal purposes, emails show.

"As the lead agency on this Superfund site, EPA must step in immediately and ensure the protection of human health and the environment," Debbie Chizewer, an attorney at Northwestern University Pritzker Law School's Environmental Law Clinic who represents CAG, wrote in an email Sept. 15 to EPA.

"The purpose of the lead service line replacement is to reduce the lead exposure of this environmental justice community; instead, this activity is causing an increased risk to the community."

Catherine Garypie, an attorney at EPA, replied in an email Sept. 15 that while EPA supports the lead service line replacement, its staff had talked that week with East Chicago officials about tarping soil piles and sampling soil excavated from below streets and sidewalks. EPA believed city officials were discussing the procedures at that time, emails show.

In a follow-up email Sept. 29, Garypie told CAG that East Chicago had informed EPA its contractors would place all materials excavated as part of the lead service line replacement work into on-site dumpsters and cover them.

Locklear said she has noticed workers now are picking up dirt piles and using a dumpster.

**'No excuse for not testing'**

Despite changes in how excavated material is handled, residents remain concerned about the apparent lack of testing. In emails, EPA repeated the city is replacing water pipes on properties that already have been remediated or where soil was below residential screening levels.

The lead screening level at the USS Lead Superfund site is 400 parts per million; however, other states have set a lower standard based on an evaluation of lead's threat to human health. For example, the residential cleanup level in California is 80 ppm.

EPA also cited soil samples evaluated as part of prior utility work in East Chicago, saying they "all had results below the applicable risk criteria," emails show.

EPA does not test under sidewalks and streets when determining if a property requires cleanup. Further, contamination levels can vary over short distances, which is evidenced by residents' frequent questions to EPA regarding why one property is cleaned while another next door — separated only by a fence — is not.

Prior utility work in the area includes a 2011 sewer pipe replacement project in the 4800 block of Kennedy Avenue. An agreement between the city and EPA for that project required soil sampling and proper disposal of contaminated dirt.

"Relying on past testing of soil underneath streets as justification not to do current testing makes no sense, based on the varied levels of contamination across the site," Chizewer said. "There's no excuse for not testing."

Garypie wrote that EPA is considering conducting its own analysis of soil excavated from under streets and sidewalks this year. The agency also is looking at whether to enter a more formal agreement with East Chicago for soil sampling, analysis and disposal during lead service line replacement work scheduled for 2018, emails show.

An EPA spokeswoman declined to comment further, saying Garypie's emails represented the extent of the agency's response.

A spokesman for Copeland declined to comment further when asked to respond specifically to NRDC's demands that the city commit to replacing lead service lines citywide, rather than just in the Superfund site, and conducting an inventory to more accurately determine where lead and galvanized steel service lines are located.

A service line inventory on file with the Indiana Department of Environmental Management shows an estimated 9,000 of 11,000 lines in East Chicago contain at least some lead.

The NRDC also called on East Chicago to notify residents that even if lead service lines are replaced, they still may face increased exposure risk because of fixtures in their homes.

Locklear said she will have to pay for a partial replacement of her indoor pipes, because some are galvanized steel.

[http://www.nwitimes.com/news/special-section/ec-lead/uss-lead-epa-reach-agreement-to-study-groundwater-soil-contamination/article\\_dfa4180a-126e-5673-81c9-b94ca8baeab6.html](http://www.nwitimes.com/news/special-section/ec-lead/uss-lead-epa-reach-agreement-to-study-groundwater-soil-contamination/article_dfa4180a-126e-5673-81c9-b94ca8baeab6.html)

### **USS Lead, EPA reach agreement to study groundwater, soil contamination**

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- Oct 7, 2017 Updated Oct 7, 2017

**EAST CHICAGO** — One of the companies responsible for polluting the city's Calumet section will investigate groundwater contamination throughout the Superfund site bearing its name, and soil contamination at its former factory property under an agreement with the U.S. EPA effective Wednesday.

USS Lead will perform a remedial investigation and feasibility study, with work set to begin in spring, according to the Environmental Protection Agency. An EPA spokeswoman said the agency entered into the agreement with USS Lead on Sept. 20.

Residents had been pushing EPA to expedite a groundwater study for the USS Lead Superfund site, but EPA's announcement this week was met with reservation.

"We have concerns about USS Lead leading the RI/FS process, because we know from experience that financial considerations lead responsible parties to drag out the study process or cut corners," said Debbie Chizewer, an attorney at Northwestern University Pritzker Law School's Environmental Law Clinic.

"EPA has a mission to protect public health and the environment and should be the lead on analyzing the human and ecological risks and developing the possible plans for remediation," she said.

Chizewer, who represents the East Chicago Calumet Coalition Community Advisory Group, said the CAG "will be keeping a close eye on this process and pushing for protection of the entire Superfund site."

### **2 groundwater studies planned**

EPA employees said at a community meeting in September they planned to begin two studies related to groundwater at the Superfund site.

The first, a study of whether groundwater could be contaminating residents' basements, is being funded with government money and is not subject to the agreement with USS Lead, EPA said. The agency said it will begin seeking residents this fall to participate in the study.

The second, a wider remedial investigation and feasibility study, will be led by USS Lead but will require EPA approval, according to the agreement. USS Lead must submit its list of qualified contractors, subcontractors, consultants and laboratories, and designate a project coordinator within 30 days of the effective date.

The remedial investigation will involve collecting data to characterize site conditions, determine the nature and extent of contamination and assess the risk to human health and the environment. USS Lead contractors also will conduct testing to evaluate potential treatment technologies.

Several cleanup alternatives will be evaluated as part of the feasibility study, which must use permanent solutions and alternative treatment and resource-recovery technologies to the maximum extent practicable, the agreement said.

USS Lead's former factory site is at 5300 Kennedy Ave. The former DuPont site, 5215 Kennedy Ave., also could be a source of groundwater contamination in the Superfund site, records show.

EPA said in September it plans to release a proposed cleanup plan this fall for the DuPont site, where lead arsenate, zinc oxide and zinc chloride were manufactured at various times between 1893 and 2000. Once the DuPont proposal is released, residents will have 30 days to submit their comments.

The agreement with USS Lead also said facilities in zone 1 of the Superfund site — identified in other documents as Anaconda Lead Products, International Lead Refining Co. and Eagle-Picher — processed and refined significant quantities of lead and other metals and chemicals, including arsenic, from 1912 to 1954.

The East Chicago Housing Authority evacuated more than 1,000 residents from the West Calumet Housing Complex last year because of contamination levels in zone 1.

#### **U.S. EPA names project manager for cleanup**

Residents and activists peppered EPA employees last month with questions about whether EPA took all available information into account, whether the agency adequately identified sources of groundwater contamination, whether it accurately characterized the flow of groundwater in the area and why cleanup efforts have taken so long.

The USS Lead, DuPont and Anaconda sites all sit along the Grand Calumet River or the Indiana Harbor and Ship Canal, which flow into Lake Michigan.

This week's agreement designated Katherine Thomas as EPA's remedial project manager for the study of groundwater and soil at the former USS Lead factory.

After the September meeting, Thomas said work done since EPA announced in January it would expedite a groundwater study, included research, planning and enforcement activities.

"We've been really putting information together from the DuPont site, from the former USS Lead facility, from different academic studies that have been done by (U.S. Geological Survey) to really pull together all that information internally," she said.

<http://www.chicagotribune.com/suburbs/post-tribune/news/ct-ptb-east-chicago-lead-water-testing-st-1007-20171006-story.html#nt=oft13a-7gp1>

#### **More than 90 Northwest Indiana schools to get free lead testing**

More than 90 Northwest Indiana school districts have signed up for free state lead testing for water fountains, sinks and fixtures.

Sixty-two schools in Lake County and 29 schools in Porter County so far have opted to have the state test lead levels, according to the Indiana Finance Authority's website. The department plans to finish the majority of testing by May 2018.

About 150 districts have signed up for the state's testing program statewide, according to IFA's website.

A list of specific Region schools that have opted for state testing was not immediately available. The department's program pays for lead testing, particularly for aging water faucets, drinking fountains and plumbing fixtures. Schools are responsible for remediation costs, although the state does have loan programs available.

A spokeswoman for IFA said lead testing in Northern Indiana schools has not yet begun. Preliminary results in southern Indiana were currently being analyzed, she said. The [EPA](#) action threshold is 15 parts per billion (PPB) for lead in drinking water.

In a separate initiative, the U.S. Environmental Protection Agency has announced that part of a settlement agreement with Heritage Environmental Services, LLC would fund the installation of drinking water foundations and PCB-free light fixtures at Carrie Gosch pre-K Center, 4001 Indianapolis Blvd., and Block Middle School, 2700 Cardinal Dr., in East Chicago.

The settlement stemmed from "multiple hazardous waste violations" in July 2012 at a company facility in Indianapolis, according to the statement. The cost for upgrades at both East Chicago schools is expected at \$290,195, according to the settlement. The improvements are expected to be done by Jan. 2018.

In June, the University of Iowa released the results of an environmental study between 2012 and 2015 that found aging caulking and light fixtures lead to diminished air quality inside four East Chicago schools. The report did not identify the schools.

"The city of East Chicago is grateful to be the recipient of funds made available by the EPA to help improve some of our schools' lights," Superintendent Paige McNulty said in a statement. "The EPA has been very helpful in analyzing our schools' needs and making a plan on how to replace the lights as needed. They have worked with school district personnel to ensure that it is not disruptive to our school day. We are hoping to have this project completed by January."

The Indiana NAACP is holding multiple events related to the city's lead crisis — stemming from arsenic and lead soil contamination from a former lead smelter site in West Calumet — next week. It plans to hand out air, soil, and water lead testing kits to students at Block Middle School and the East Chicago Urban Enterprise Academy on Oct. 10.

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Sincerely,

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